



Dover/Kent County Metropolitan Planning Organization

P.O. Box 383, Dover, Delaware 19903

(302) 387-6030 FAX: (302) 387-6032

<http://doverkentmpo.org>

DOVER/KENT COUNTY MPO TECHNICAL ADVISORY COMMITTEE MINUTES OF AUGUST 12, 2009

Technical Advisory Committee Representatives attending:

Scott Koenig, City of Dover/Public Works (Chair)

Tim Riley, Kent Conservation District

Anne Marie Townshend, City of Dover/Planning/Insp.

Mary Ellen Gray for Sarah Keifer, Kent County Planning

Cathy Smith, Delaware Transit Corporation

David Hugg, Town of Smyrna

Bill Osborne, Transp. Mgmt. Assoc. DE

David Edgell, Office of State Planning (Vice-chair)

Mayor Donald Tinari, Cheswold, municipal rep.

Bobbie Geier for Greg Oliver, DelDOT Planning

Phil Wheeler, DNREC

Kris Riesenberger, Federal Highway Administration

Gary Norris, City of Milford

Milton Melendez, DE Dept. of Agriculture

Members not attending:

Byard O'Neal, DE Motor Transport Assoc.

Rick Crawford, Norfolk Southern

Louis Lombard, Dover Air Force Base

Jeff Stone, DE Economic Dev. Office

Keith Lynch, Federal Transit Admin.

Non-members attending:

Brenda Gardels, DelDOT Finance

Juanita Wiczoreck, MPO Staff

James Galvin, MPO Staff

Ben Johnson, MPO Staff

Jennifer Baldwin, DelDOT

Kate Layton, MPO Staff

Catherine Samardza, MPO Staff

1. Introduction of Members & Guests

2. Public Comments

3. ACTION ITEM: Approval of Agenda

By Mr. Hugg to approve the agenda. Seconded by Mr. Norris. Motion carried.

MOTION

4. ACTION ITEM: Approval of Minutes/June 10, 2009

MOTION By Mr. Hugg to approve the minutes. Seconded by Mr. Wheeler. Motion carried.

5. ACTION ITEM: Annual Meeting

5.1 Elections

MOTION By Ms. Townshend to nominate Mr. Koenig as Chair and Mr. Edgell as Vice-Chair. Seconded by Mr. Osborne. Motion carried.

MOTION By Mr. Riley to close the nominations. Seconded by Mr. Wheeler. Motion carried.

Mr. Koenig and Mr. Edgell were elected by acclamation.

5.2 FY 2009 Completion Report

Ms. Wiczoreck reviewed the Completion Report.

MOTION By Ms. Townshend to accept the Completion Report and forward it to Council recommending approval. Seconded by Mr. Riley. Motion carried.

6. ACTION ITEM: Proposed Amendment to the FY 2010 Unified Planning Work Program (UPWP) – J. Wiczoreck

Ms. Wiczoreck explained that funding was needed to complete public outreach activities for certain FY09 projects. She proposed moving \$4,500.00 out of 10-07 Transportation Studies and into 10-03 Public Participation. When FY09 is closed out, money will be available October 1 to replace the funds for Transportation Studies. This will not immediately impact Transportation Studies because currently there are no studies to be funded.

MOTION By Mr. Osborne to recommend Council approve the proposed budget amendment for the FY2010 UPWP.



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Seconded by Ms. Gray. Motion carried.

7. PRESENTATION and DISCUSSION: Complete Streets Proposed Policy – J. Baldwin, DelDOT

Ms. Baldwin reviewed the proposed policy, and some changes that were made since the last TAC meeting in June. The document is now out for comments. A draft policy is due in the Governor's office by September 30th. She also noted that the implementation plan will be more detailed than the policy itself. Questions and comments from the committee followed. Mr. Koenig asked how Ms. Baldwin would prefer to receive comments; she said she would prefer them by e-mail. Mr. Osborne felt that in the waiver process the bar should be set as high as politically possible. He felt that Page 4, para. 3 was not high enough, and that there was a lot of "wiggle room." The committee had other questions and concerns that Ms. Baldwin said would be covered in the implementation plan.

8. PRESENTATION and DISCUSSION: FY 2010 Bond Bill and Changes to the FY 2010-2013 Transportation Improvement Program – J. Galvin, MPO; B. Gardels, DelDOT Finance

Mr. Galvin distributed and reviewed the information concerning changes to the FY2010 Bond Bill and the subsequent amendments needed to the MPO 2010-2013 TIP. Mr. Koenig was concerned that local governments had not been notified that some projects were being dropped from the Capital Transportation Program. Ms. Townshend expressed concern that a project was put into the CTP but was not in the TIP. It was explained that the project was carried over due to construction problems. There was further discussion because this item was listed as presentation and discussion, but DelDOT was asking that the amendments be recommended to Council for approval in order to meet federal deadlines. Ms. Wieczoreck explained that it was counter to the procedures set up for amendments, but if the committee agreed, action could be taken. Members objected because they were not given time to review the amendments and that the procedure was being disregarded.

MOTION By Mr. Wheeler to wait for the appropriate TIP amendments and to let DelDOT know that the TAC did not agree with changing the process.

Before a second could be made, there was considerable discussion. Ms. Wieczoreck noted that the TAC could choose to not take formal action, but could take a consensus. Also, Council could take action without a TAC recommendation, or the TAC could choose to reconvene to take action when all the materials are available, and prior to the September Council meeting. It was also noted that the legislature allotted funding to the Bond Bill and DelDOT was given a mandate to make their CTP fit the funding available.

Motion was seconded by Mr. Edgell.

Further discussion followed. Ms. Wieczoreck suggested that Mr. Galvin and Ms. Gardels meet with the City of Dover representatives to discuss projects that were dropped from the CTP or moved to out years and try to find funding. Mr. Osborne noted that there were two issues here; procedure and the amendments.

The vote was taken and the voting members were tied - 6 in favor, 6 against and one abstention. No action

Ms. Geier asked what would happen if Council did not approve and adopt the amendments. Ms. Gardels said that no Kent County or Statewide projects would begin.

MOTION By Mr. Edgell to recommend to Council that projects be reviewed by the City and DelDOT to find a way to keep them in the CTP. Seconded by Ms. Townshend. Motion carried with two against.

Ms. Townshend then said: "As a resident of a municipality and an employee of a municipality, I have issues with the State saying they want to promote growth in municipalities but then cutting the Municipal Street Aid to local governments. Municipalities provide routine maintenance of State roads running through their jurisdictions as well as all the local streets. For a subdivision built in unincorporated Kent County, in some cases where the State's policy is to discourage growth, the State provides the street maintenance, including services such as snow removal. Taking away a source of funding for municipalities to maintain and improve streets within their jurisdictions goes counter to the State's policy over the past ten plus years of supporting growth in municipalities."

MOTION By Mr. Hugg to forward Ms. Townshend's comments to Council. Seconded by Ms. Gray. Motion carried with four (4) abstentions.

9. ACTION ITEM: Proposed FY2010 Federal Fund Programming – J. Wieczoreck



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Ms. Wiczoreck reviewed the letter from DelDOT requesting concurrence in the use of federal funding. She explained that, although the letter mentioned several different federal programs, the only one the Dover/Kent County MPO would be approving was the Congestion Mitigation Air Quality (CMAQ) program.

MOTION By Ms. Townshend to recommend Council concur with the use of CMAQ funds. Seconded by Mr. Hugg.

Prior to the vote, Mr. Osborne recused himself because TMA DE was the recipient of funds from this program.

Motion carried.

10. Member Agency Reports:

City of Dover: Planning - Ms. Townshend reported that the City of Dover is working on comprehensive rezoning and a series of ordinance amendments to implement their Comprehensive Plan. They are working on a signage amendment, an off-street parking amendment, and amendments to the IPM 2 (Industrial Park and Manufacturing – Technology Center), and Agricultural Zone.

Public Works – Mr. Koenig noted that Governors Avenue Construction is ongoing, and the City is appreciative of the money DelDOT is spending on the project, even though there have been some complaints.

Kent County: Planning – NO REPORT

Soil Conservation – Mr. Riley reported that although ARRA funding was available for soil and water conservation, only watersheds with approved pollution control were eligible; there is only one such watershed, in Sussex County. There is an effort to join all drain program functions in Kent County; Kent County, DNREC, and Soil Conservation. They will be combined in one office.

Milford – NO REPORT

Smyrna – NO REPORT

Other Municipalities – Mayor Tinari reported that road upgrades in Cheswold have been delayed by right-of-way issues. He also reported that there is a concern about the traffic light and US13&42. Work has been delayed by the power lines, and there is a safety issue. Pedestrians crossing 13 to get to the Royal Farms have no pedestrian crossing. In addition, trucks making turns onto NB 13 have been going over the curb and sidewalk. It was suggested that he talk to DelDOT. Mayor Tinari also noted that the population in Cheswold has gone from 300 to 1,400, and construction for 5-6,000 more homes is planned. Mr. Wheeler commented that the Complete Street Policy should be used for new development.

Federal Highway Administration – Mr. Riesenberg introduced himself as the new planner with FHWA. He reported that the office would be moving in January 2010, as the federal building is being closed. The office will be looking for new space.

TMA DE – NO REPORT

State of Delaware: DelDOT Planning – Ms. Geier reported that the Bike/Ped Plan should be ready for public outreach by the end of the year. DelDOT is working with DTC on freight and passenger rail plans. FRA funding is available for a passenger rail study; AMTRAK has a 30 year plan that includes service to Ocean City. Newark and Wilmington will need a third track for the MD and NE corridor. There will be a Chesapeake connector and separate freight and passenger tracks. She also reported that DE Airpark received \$1M in stimulus money to advance the design the runway. There will be a presentation at the Civil Air Terminal on the air service feasibility study results.

DTC – Ms. Smith reported she is working on the scope for the origin/destination fixed route study that has been approved for the D/KC MPO Transportation Studies funding. She also reported that there will be no study for Wilmington, because WILMAPCO did not fund the study. There will be a Public Hearing on September 15 for December 2009 route and schedule changes. Ms. Smith also informed TAC members that she would soon be out on maternity leave. She plans to return to work in January 2010.

Agriculture – Mr. Melendez reported that 60 properties in Kent County entered the Agriculture Preservation Program. He said that he would send the list for distribution.

DNREC – Mr. Wheeler reported that although DE has reached attainment with the 8 hour ozone standard, the region has not. There are conformity issues and the State faces a lapse. If all monitors are within requirements for one year, an extension to 2010 can be requested. Mr. Osborne noted that a lapse would mean that no new projects could go forward. Ms. Wiczoreck said that maintenance projects could go forward.

Statewide Planning – Mr. Edgell reported that his office is working on a new policy initiative with the Governor. He expects that there will be new priorities on land use. He is also working on a small-area population project with the MPO and WILMAPCO.

NO REPORTS/REPRESENTATIVES

**State of Delaware - DEDO; Dover Air Force Base; Federal Transit Administration;
Norfolk Southern; Delaware Motor Transport Association**

11. Staff Report –

11.1 Outreach Activities – K. Layton

11.2 Transportation Studies – J. Galvin



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- 11.3 UPWP Progress & Financial Reports – J. Wieczoreck
- 11.4 Other Project Updates/Activities – J. Wieczoreck
- 11.5 Correspondence & Publications/Reports – J. Wieczoreck

11. Next Meeting: October 14, 2009

MOTION By Mr. Wheeler to adjourn the meeting. Seconded by Ms. Gray. Motion carried.